

CITY OF MUSKEGON
MUSKEGON HOUSING BOARD OF APPEALS
MEETING MINUTES
01/08/09
5:30PM

ATTENDANCE: Randy Mackie, Ed Simmons, Jon Rolewicz, Nick Kroes, Kirk Kolberg, Chris Carter

ABSENT:

EXCUSED: Greg Borgman

STAFF: Carmen Smith, Jim Hoppus, Don LaBrenz, Scott Houghtaling, Ken Murar, Henry Faltinowski

GUESTS: Emma Blain(754 Allen), Jeff Bergsma(60 E. Walton), Keenan Sims(1969 Wood)

Meeting minutes: A motion was made by Randy Mackie and seconded by Nick Kroes to approve the November 2008 minutes.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
		Greg Borgman		

Randy Mackie
Jon Rolewicz
Nick Kroes
Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

PROPERTY MAINTENANCE APPEAL CASE

816 Washington – Faith Groesbeck, 816 Washington; Apt #3, Muskegon, MI 49441

No one was present to represent case.

Staff Recommendation: Tabled case for 60 days.

Motion made by Chris Carter and was seconded by Kirk Kolberg to accept staff recommendation.

A roll call vote was taken:

AYES: NAYES: EXCUSED: ABSENT: ABSTENTION:

Greg Borgman

Randy Mackie
Jon Rolewicz
Nick Kroes
Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

DANGEROUS BUILDING REVIEW CASES

EN-070210 – 935 S. Getty, Emma Blain, 754 Allen, Muskegon, MI 49442

Ms Emma Blain was present to represent case.

Ms Blain stated she has done some work and has completed the electrical, plumbing and now plans to work on the roof. Ms Blain said she got estimates and the cost is much more than she had anticipated but would like to get the work done by spring. Nick Kroes asked how many things was left on list to address. Ms Blain said there is not much left like repair on the floor, but the roof is major thing. Nick Kroes asked how long would it take to complete repairs. Ms Blain responded right now she is out of cash but she said a relative has agreed to help her financially so her goal is to be in the structure by the spring. She said the roofing company said they would start the project with half the money down. Chris Carter asked had inspections been done. Don LaBrenz stated 3 out of 4 permits have been finaled, the building permit remains outstanding.

Chris Carter revised motion to table case until May 2009 and was seconded by Randy Mackie.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
		Greg Borgman		

Randy Mackie
Jon Rolewicz
Nick Kroes
Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

EN-080135 – 60 E. Walton –Jeffrey/Denise Bergsma, 5961 Austrian Pine Ln, Grant, MI 49327

Jeffrey Bergsma was present to represent case.

Mr. Bergsma stated he hasn't started on repairs but anticipates starting soon. He said he's been out of the country but returned December 21, 2008 and purchased these properties in February 2008. He apologized for their condition he said the exterior improvements could be completed by June 2009. He asked if licensed contractors have to pull permits for rental properties. Don LaBrenz stated that all work could be done by licensed contractors except owner could pull building permit. Mr. Bergsma asked if he chose to live in home could the owner do electrical work if permits pulled by contractor to do work. Mr. LaBrenz stated no, if property is primary residence, the only person that can work under a permit would be the person who pulled the permit. If a licensed contractor pulled permit, he or only his employees could work under that permit. The homeowner can do the work himself but he has to secure the permit. Mr. Bergsma said he asked because three inspectors came to the home to write interior violations under a rental provision. Mr. LaBrenz corrected Mr. Bergsma stating inspection was under dangerous building ordinance. Mr. Bergsma stated if he is allowed until June 2009 to complete the exterior that he would like to owner occupy the home and feels there would be no need for further inspections since water, lights and furnace is turned on. Mr. LaBrenz stated that as owner any work that is done requires inspections. As homeowner he would be bound by all laws that a contractor would be regarding code compliance, inspections and certificate of occupancy. Mr. Bergsma asked if the home had a certificate of occupancy that he could move into the home today. Mr. LaBrenz said no, the dwelling could not be occupied because it's on the dangerous building list and repairs would have to be completed first. Jon Rolewicz said case worries him when owner says he willing to leave present home to occupy this address. Mr. Bergsma says he presently lives in a trailer in the woods. Jon Rolewicz asked how many homes he owns in the city. Mr. Bergsma said his home

was a spec home and he hasn't been able to sell his place in Grant, Michigan. Jon Rolewicz said from his personnel view that it smells like a case where person go in wire and plumb themselves feeling like they've pulled something over on the City of Muskegon. Mr. Bergsma said he's not trying to fool anyone and plan to take a job at correctional facility and he owns two other homes on same block and plans to make repairs and it would behoove him to move next door to oversee and repair his business. It makes financial sense. Ed Simmons said that's what red flagged him also when it was mention that the structure would first be "rental" then changed to "owner occupied". Mr. Bergsma said he has adult foster home and would like possibly move close to oversee business and develop long term relationship with City of Muskegon. He said he has to decide financially if feasible. Chris Carter asked about plan, timeline. Mr. Bergsma said he hasn't made that decision yet and would like time to do so. Mr. Bergsma asked what he would have to do to prevent demolition and Mr. Carter said structure would have to be brought up to code. Mr. Bergsma assured board his plans are genuine. Ed Simmons stated his skepticism.

Staff Recommendation: Table case for 30 days

Randy Mackie made motion and was seconded by Chris Carter to accept staff recommendation.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
		Greg Borgman		

Randy Mackie
Jon Rolewicz
Nick Kroes
Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

EN-070098 – 1969 Wood – Keenan Sims, 2205 Leahy, Muskegon, MI 49442

Keenan Sims was present to represent case.

Mr. Sims stated he finished roof and started some work inside but it's really been cold and the heat isn't turned on right now which prevents further work. He stated he can't do any exterior until the spring. He said structure has been winterized. Mr. Sims said he didn't know he needed a second inspection for roof. Henry Faltinowski said he needs to get heat turned on and start finishing improvements inside. Mr. Sims said the gas bill was run up by his mother, but his emphasis has been on getting taxes paid

first. Chris Carter encouraged monthly updates. Don LaBrenz asked about timeline to secure rest of permits. Mr. Sims said his problem is not having funds to get gas turned on. Mr. Sims said he doesn't want to put much time into it until he can get the heat on.

Staff Recommendation: Table case until April 2009 with monthly progress inspections.

Chris Carter made the motion and was seconded by Randy Mackie to accept staff recommendation.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
		Greg Borgman		

Randy Mackie
Jon Rolewicz
Nick Kroes
Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

DANGEROUS BUILDING NEW CASES

EN-080271- 718 E. Isabella (Home & Garage) – Stephen Benedict, P.O. Box 306, Muskegon, MI 49443

No one was present to represent case.

Randy Mackie made motion to declare structure substandard, a public nuisance and a dangerous building and was seconded by Ed Simmons.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
		Greg Borgman		

Randy Mackie
Jon Rolewicz
Nick Kroes
Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

**EN-080272 – 724 E. Isabella – Big Star Holdings LLC, 3738 Keeweenaw St NE,
Grand Rapids, MI 49525**

No one was present to represent the case.

Motion made by Ed Simmons to declare structure substandard, a public nuisance and a dangerous building and was seconded by Randy Mackie.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
		Greg Borgman		

Randy Mackie
Jon Rolewicz
Nick Kroes
Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

**EN-080259 -1505 Lakeshore Dr (Garage) – HSBC Mortgage Services Inc, 636
Grand Regency Blvd, Brandon, FL 33510**

No one was present to represent case.

Motion made by Chris Carter to declare structure substandard, a public nuisance and a dangerous building and was seconded by Randy Mackie.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
		Greg Borgman		

Randy Mackie
Jon Rolewicz
Nick Kroes
Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

**EN-080273 – 642 McLaughlin – (Home & Garage) – Mary Phillips/Marvin Black,
447 ½ Gilligan St., Westwego, LA 70094**

No one was present to represent case.

Motion made by Randy Mackie to declare structure substandard, a public nuisance and a dangerous building and was seconded by Chris Carter.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
		Greg Borgman		

Randy Mackie
Jon Rolewicz
Nick Kroes
Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

OLD BUSINESS:

NEW BUSINESS:

ADJOURNMENT: 6:12 PM

CITY OF MUSKEGON

**AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF
THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.**

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Ann Becker, City Clerk
933 Terrace Street
Muskegon, MI 49443
(231) 724-6705 or TDD (231) 724-6773